



# Diocesan Boards of Education Measure 2021

2021 No. 1

## *Responsibilities*

### **10 Directions**

- (1) The DBE for a diocese may give a direction to the governing body or (in the case of an Academy) the proprietor of a church school in the diocese if the DBE is satisfied that the governing body or proprietor—
  - (a) is failing to exercise, or to exercise properly, its functions so far as relating to relevant alterations to the school or to the discontinuance of the school, and
  - (b) is accordingly acting in a manner which is not in the interests of the school or of church schools generally.
- (2) The DBE for a diocese may give a direction to the trustees for a church educational endowment held wholly or partly for a church school in the diocese if it is satisfied that the trustees—
  - (a) are exercising their functions in relation to the endowment in a manner such that the endowment is not being applied in the best interests of the school, or
  - (b) have failed to exercise, or to exercise properly, their functions in relation to the endowment.
- (3) Where the DBE for a diocese has concerns about the quality of the denominational education provided by a church school in the diocese or about the content of the collective worship of a church school in the diocese, it may direct the governing body or (in the case of an Academy) the proprietor of the school to permit the inspection by such person as the DBE appoints of the education or worship concerned.
- (4) A direction under subsection (1) or (2) must specify the function or functions concerned.
- (5) The governing body or proprietor or the trustees must comply with a direction given under this section—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of a direction under subsection (1) or (2), within six months of being given it;
  - (b) in the case of a direction under subsection (3), within such period as the direction specifies.
- (6) Where the giving of a direction under this section is to be considered at a meeting of the DBE, the following persons may attend the part of the meeting dealing with the consideration of that matter—
- (a) the head teacher of the school concerned,
  - (b) the chair of the governing body, board of directors or trustees (as the case may be), and
  - (c) one or two other persons (or such greater number as the DBE may allow) nominated by the governing body, the board of directors or the trustees.
- (7) Where a person who is entitled to attend a meeting of the DBE in reliance on subsection (6)(a) or (b) is unable to do so, the person may nominate another person to attend the meeting in his or her place.
- (8) A person attending a meeting of the DBE in reliance on subsection (6) or (7)—
- (a) may make an oral presentation or oral submissions to the meeting, and
  - (b) may speak in response to a question put by a member of the DBE.
- (9) Where the DBE for a diocese gives a direction under this section, it must lay a report—
- (a) before the diocesan synod, or
  - (b) in the case of a joint DBE, before the diocesan synod for the diocese to which the direction relates.
- (10) An alteration to a school is “relevant” if it is an alteration which—
- (a) in the case of a voluntary or foundation school, is for the time being prescribed in regulations under section 18 of the Education and Inspections Act 2006;
  - (b) in the case of an Academy, corresponds to an alteration which is for the time being so prescribed.